IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 9TH JULY 2007 / 18TH ASHADHA 1929

Con.Case(C).No. 52 of 2007(S)

ORDER DT. 13/12/06 IN IA NO. 2651/06 IN IA NO. 2023/04 IN RSA NO. 968/2004.

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PETITIONER/PETITIONER/1ST RESPONDENT:

K.P. JOHNSON,
S/O. KALAPPURAKKAL PATHROSE, AGED 36 YEARS,
KADANGODE VADAKKUMMURI DESOM, KADANGODE VILLAGE,
TALAPPILLY TALUK.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENTS: 1ST RESPONDENT AND ADDL.8TH RESPONDENT:

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1. SHRI XAVIER THOMAS,
S/O. PARANKULANGARA THOMAS, AGED 49 YEARS,
R/O.KADANGODE VADAKKUMMURI DESOM,KADANGODE VILLAGE
TALAPPILLY TALUK.

2. SHRI V.I.VELAYUDHAN,
(AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER
SUB INSPECTOR OF POLICE, ERUMAPETTI POLICE STATION
ERUMAPETTI.

BY ADV. SRI.K.M.SATHYANATHA MENON FOR R1
GOVERNMENT PLEADER SMT. T.B.RAMANI

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 09/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J.

Cont.Case (C).No.52 OF 2007

Dated this the 9th day of July, 2007

JUDGMENT

This contempt case is filed on the basis of the order dated 13.12.2000 on I.A.No.2651/06. The complaint is that the first respondent is involved in committing acts of waste, but that the police officer is not taking any action because the aforesaid order dated 13.12.2000 concludes by stating that the police officer will ensure that the directions in that order are not utilised by the petitioner in relation to any other property or in relation to any other person. Having regard to the said direction in that order, I do not find any ground to treat this as a case of contempt having been made out in terms of the Contempt of Courts Act. Accordingly, this case is closed without prejudice to the rights of the petitioner to move for appropriate orders in the RSA, if so advised.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.